ATTACHMENT A

GENERAL OBJECTIONS

GE and UNC make the following General Objections to the Request, and they incorporate their General Objections into each of the written responses that follow.

1. GE and UNC object to the Request, including the requests for production of documents contained therein, to the extent that it seeks to impose upon GE and UNC obligations to investigate or respond that are different from, other than, inconsistent with, or beyond the scope of obligations imposed under section 104(e) of CERCLA, 42 U.S.C. § 9604(e).

2. GE and UNC object to the Request, including the requests for production of documents contained therein, to the extent it seeks information that is not required to be furnished by section 104(e), is outside the scope of the investigation authorized by section 104(e)(1), or is not relevant to the specific types of information specified in § 104(e)(2)(A)-(C), that is: (A) the identification, nature and quantity of materials generated, treated stored or disposed of at the relevant site(s); (B) the nature or extent of any release or threatened release of a hazardous substance at the relevant site(s); or (C) the ability of any person to pay for or perform a cleanup at the relevant site(s).

3. GE and UNC object to the Request, including the requests for production of documents contained therein, to the extent that: (a) it is unreasonably broad; (b) it is unduly burdensome; (c) it is unreasonably vague; or (d) it seeks information that could be as readily located and identified by EPA as by GE or UNC.

4. GE and UNC object to the Request, including the requests for production of documents contained therein, to the extent it seeks to impose on GE and UNC an obligation to seek or obtain information or documents from third persons or which otherwise are not in GE or UNC's possession, custody, or control.

5. GE and UNC object to the Request, including the requests for production of documents contained therein, to the extent that it seeks the disclosure of information or documents protected by the attorney-client privilege, the attorney work-product doctrine, the self-evaluation privilege, the right of privacy laws, the protection afforded trade secrets, or any other applicable privilege, protection, or immunity.

6. GE and UNC object to the Request, including the requests for production of documents contained therein, to the extent that it is arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with the law as provided in section 104(e)(5)(B)(ii) of CERCLA.

OBJECTIONS TO THE INSTRUCTIONS AND DEFINITIONS

Without waiving or limiting their General Objections, GE and UNC make the following Objections to the Instructions and Definitions in the Request, and incorporate their Objections to the Instructions and Definitions into each of the written responses that follow.

1. GE and UNC object to Definition No. 1 insofar as it applies to "affiliates" and "contractors, trustees, and agents" on the grounds that the Definition is overly broad and that to respond to any request using this Definition would be unduly burdensome and beyond the scope of GE's and UNC's obligations under section 104(e) of CERCLA. Moreover, Definition No. 1, particularly its inclusion of "affiliates" of GE, appears to contravene the United States Supreme Court's interpretation of CERCLA in *United States v. Bestfoods*, 524 U.S. 51 (1998). Under *Bestfoods*, a parent corporation is not liable for response costs at a subsidiary's facility unless the parent itself engaged in pollution-related activity at the facility to the extent that the parent acted as an "operator" under CERCLA, or the subsidiary's corporate veil can be pierced. Because neither of these theories applies here, GE expressly disclaims and reserves its right to contest any CERCLA liability that might be imputed to its indirect subsidiary UNC. UNC has existed as an independent corporation since 1954, but did not become an indirect subsidiary of GE until 1997. For additional detail on this point, please see UNC's response to Question No. 3 in EPA's "Request for Information – United Nuclear Corporation Northeast Church Rock Mine Site, McKinley County, New Mexico."

2. GE and UNC object to Definition No. 3 on the grounds that its definition of "Navajo Nation" is vague, redundant, unlawful, and overbroad. Although GE and UNC have not narrowed their Response to this Request based on this objection, GE's and UNC's Response to this Request is not an admission, and should not be construed as an agreement that the boundaries of the "Navajo Nation," the Navajo Reservation, Navajo Indian Country, or Navajo jurisdiction in any form extend to the properties within the scope of Definition No. 3 or to the properties identified in this Response, and GE and UNC reserve their rights to contest any such determination.

RESPONSES TO QUESTIONS

Each response that follows is subject to the foregoing General Objections and the foregoing Objections to the Instructions and Definitions. Additionally, GE and UNC have asserted Specific Objections to individual questions, which are stated in response to that particular question. GE and UNC also made Specific Objections to certain Questions on the grounds that they were unreasonably vague, overbroad, and burdensome, which were discussed in a May 27, 2008 telephone conversation between Harrison Karr, Assistant Regional Counsel for EPA, and Jane Gardner, Robert Lawrence, and Gene Lucero for GE on behalf of UNC. In that discussion, the participants arrived at certain understandings concerning the interpretation of specific Questions and certain mutually acceptable approaches to responding to specific Questions. Where appropriate, these understandings and approaches are discussed below. Without waiving or limiting their General Objections, Objections to the Instructions and Definitions, or Specific Objections, GE and UNC have, to the best of their knowledge, responded to the Request as completely and accurately as possible.

Question No. 1. Please identify those individuals who assisted in the preparation of this information response. For each individual, provide the following: name, current or last known address and telephone number, dates of employment, and current and former job titles.

Response to Question No. 1. The following persons assisted in the preparation of this Response:

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Because of the volume of documents and time limitations, other attorneys, paralegals, and staff at Davis Graham & Stubbs LLP also assisted in the review and processing of documents for this Response to a lesser extent than the persons identified above. If EPA believes it necessary to provide further identifications, please contact us to discuss such need.

Question No. 2. Identify all properties owned, leased, possessed or held by you to conduct operations for the production of uranium in the Navajo Nation. Provide a copy of the lease, permit, claim(s), deed, license or any other document evidencing your status as an owner, tenant or possessor of the property and all attachments.

Response to Question No. 2. GE never "owned, leased, possessed or held" any properties "to conduct operations for the production of uranium in the Navajo Nation," nor does it currently own, lease, possess, or hold any such properties. The following properties currently are or formerly were owned, leased, possessed, or held by UNC, a predecessor of UNC, or a partnership in which either UNC or a predecessor of UNC was a partner, and are responsive to Question No. 2.

1. Northeast Church Rock Mine (aliases: NECR; NE Churchrock Mine), located in McKinley County, New Mexico, in § 35 T17N/R16W (two shafts), § 3 T16N/R16W, and § 34 T17N/R16W.*

* In accordance with agreements reached in a May 27, 2008 telephone conversation between Harrison Karr, Assistant Regional Counsel for EPA, and Ms. Gardner, Mr. Lawrence, and Mr. Lucero for GE on behalf of UNC, documents relating solely to the Northeast Church Rock Mine and Church Rock Mill are not being produced pursuant to the Request unless they pertain to mining spoils, mill tailings, or other waste materials transported from or otherwise leaving those sites.

2. Church Rock Mill and tailings facility located in McKinley County, New Mexico, in § 2 T16N/R16W.*

3. Church Rock Mine (aliases: Old Churchrock Mine; Churchrock No. 1 Mine; Section 17), located in McKinley County, New Mexico, in § 17 T16N/R16W.

4. Black Jack No. 1 Mine, located in McKinley County, New Mexico, in § 12 T15N/R13W.

5. Black Jack No. 2 Mine, located in McKinley County, New Mexico, in § 18 T15N/R13W.

6. Mac No. 1 Mine, located in McKinley County, New Mexico, in § 12 T15N/R14W.

7. Mac No. 2 Mine, located in McKinley County, New Mexico, in § 18 T15N/R13W.

8. Section 13, located in McKinley County, New Mexico, in § 13 T16N/R17W.

Documents listed in Attachment B, Table 1, and which are produced with this Response, are responsive to Question No. 2.

Question No. 3. Provide information about each property identified by you, including but not limited to the following:

a. Property boundaries, including a written legal description;

b. A map identifying the property location within or in relation to the Navajo Nation;

c. Location and description of surface structures (e.g., protore, waste pile, retention ponds, buildings, housing, etc.);

d. Location and description of any ground water wells or sources of surface water used in mine operations;

e. All maps, drawings, aerial photographs of the property.[1]

[1] EPA, GE, and UNC agreed in their May 27, 2008 teleconference that UNC would make potentially responsive maps available to EPA upon subsequent request. UNC has gathered thousands of maps, which are available for review at the office of Davis Graham & Stubbs LLP in Denver. As discussed on May 27, 2008, the cost of reproducing these maps would be substantial, certain maps are likely confidential business information, and EPA in all likelihood would have little, if any, interest in the vast majority of them. UNC will, however, make these maps available for review at a mutually convenient time if EPA believes it necessary following its receipt of this Response.

Response to Question No. 3. GE and UNC object to this Question as unreasonably broad and unduly burdensome. Subject to those objections, information and documents concerning the following properties currently or formerly owned, leased, possessed, or held by UNC, a predecessor of UNC, or a partnership in which either UNC or a predecessor of UNC was a partner, are responsive to Question No. 3.

1. For the Northeast Church Rock Mine, located in McKinley County, New Mexico, in § 35 T17N/R16W, § 3 T16N/R16W, and § 34 T17N/R16W, UNC refers EPA to the Final Removal Site Evaluation Report for the Northeast Church Rock Mine Site submitted to EPA in October 2007, and the tables, photos, figures, and documents referenced therein. *See also* documents listed in Attachment B, Table 2, produced with this Response.*

2. For the Church Rock Mill located in McKinley County, New Mexico, in § 2 T16N/R16W, information responsive to this request is contained in the Administrative Record for the Church Rock Mill Site, located at EPA Region 6. Documents that may contain responsive information that are included within the Administrative Record include, without limitation: (a) EPA's 1988 RI/FS Report; (b) EPA's Record of Decision, UNC EPA ID # NMD 0304 (1988), and supporting documents; (c) Five Year Review Report, UNC, Groundwater Operable Unit (September 1998); and (d) Second Five Year Review Report for the UNC Groundwater Operable Unit (September 2004). Additional documents responsive to this request may be included as part of the record for the Nuclear Regulatory Commission ("NRC") Source Materials License No. SUA 1475 for the Church Rock Facility, and the amendments thereto. *See also* documents listed in Attachment B, Table 2, produced with this Response.*

3. For the Church Rock Mine (Section 17, Old Church Rock), located in McKinley County, New Mexico, in § 17 T16N/R16W, see documents listed in Attachment B, Table 2, produced with this Response.

4. For the Black Jack No. 1 Mine, located in McKinley County, New Mexico, in § 12 T15N/R13W, see documents listed in Attachment B, Table 2, produced with this Response.

5. For the Black Jack No. 2 Mine, located in McKinley County, New Mexico, in § 18 T15N/R13W, see documents listed in Attachment B, Table 2, produced with this Response.

6. For the Mac No. 1 Mine, located in McKinley County, New Mexico, in § 12 T15N/R14W, see documents listed in Attachment B, Table 2, produced with this Response.

7. For the Mac No. 2 Mine, located in McKinley County, New Mexico, in § 18 T15N/R13W, see documents listed in Attachment B, Table 2, produced with this Response.

8. For Section 13, located in McKinley County, New Mexico, in § 13 T16N/R17W, see documents listed in Attachment B, Table 2, produced with this Response.

Question No. 4. For each property identified by you, describe the activities or operations which were conducted by you on that property. Provide any and all documentation in your possession which describes the operations which occurred at that property.

Response to Question No. 4. GE and UNC object to this Question as unreasonably broad and unduly burdensome. Subject to those objections, GE and UNC respond as follows. GE never conducted operations on any of the properties identified in this Response. Based on a review of historic information, UNC, a predecessor of UNC, or a partnership in which either UNC or a predecessor of UNC was a partner conducted operations on the following properties as described below.

1. Northeast Church Rock Mine.

The Northeast Church Rock Mine is a closed underground uranium mine located in McKinley County, New Mexico. The mine was operated by UNC. The mine workings consisted of two shafts; shaft number 1 was located in the Northeast 1/4 of Section 35, Township 17 North, Range 16 West; shaft number 2 was located in the Southwest 1/4 of Section 35, Township 17 North, Range 16 West, very close to the boundary line of Section 3, Township 16 North, Range 16 West. Ore was mined from Sections 34 and 35, as well as from Section 3. The first mine shaft was started in October 1967 and was completed in July 1969. The first shaft was 1,788 feet deep, concrete-lined, and 14 feet in diameter. A second mine shaft was completed in 1976. The second shaft was 1,760 feet deep, concrete-lined, and 12 feet in diameter. Both shafts were equipped to hoist men, materials, and ore, and provided ventilation for the mine. There also were seven vent shafts to provide downcast air to the mine. Both mine shafts served rail haulage drifts at the 1,533-foot and 1,719-foot levels. A modified room and pillar mining method was used in the Northeast Church Rock Mine. Ore was picked up by a loader and trucks, dumped into ore passes, pulled through chutes into rail cars, trammed to the trench, and then hoisted to the surface where it was trucked to the Church Rock Mill for processing.

Production from the Northeast Church Rock Mine began in January 1969 with mining in drifts off of shaft number one at the 1,533-foot level. Mining of these drifts continued from January 1969 until June 1969, and the uranium produced was sold to the United States government. Thereafter, shaft number one was completed to its final depth of 1,788 feet. Full production from the Northeast Church Rock Mine began in 1972 and continued until 1982, when the mine was shut down. Total production was approximately 10 million pounds of uranium concentrate. The mine had a substantial inflow of groundwater. The drainage system consisted of two main pumping stations at the 1,719-foot level and the 1,235-foot level, as well as emergency pumps on the 1,533-foot level. Mine water was received by the pumping stations and lifted to the 1,235-level sump and pumped to the surface, where it was treated in three constructed ponds to reduce suspended solids and radionuclide concentrations before discharge to the unnamed arroyo. Once Clean Water Act ("CWA") requirements became applicable, discharges were released pursuant to a National Pollutant Discharge Elimination System ("NPDES") permit. Pursuant to a 1977 New Mexico radioactive materials license,[2] water from the Northeast Church Rock Mine was treated in an ion exchange ("IX") plant to remove the uranium, which was then processed and sold. UNC documents characterize the facility as similar to the Church Rock Mine IX facility, described below. Wastewater from the facility was

[2] UNC's state-issued radioactive materials license was amended to allow for the operation of the IX Plant. The license was amended a second time to address the backfilling of coarse tailings sands into the mine workings for structural control. At that time, New Mexico had Agreement State status under the Atomic Energy Act.

sent to the surface settling ponds. After the mine was shut down in 1982, surface facilities were removed and the shafts were backfilled and cemented over. Discharges from the Northeast Church Rock Mine IX system ceased in 1983. The IX plant remained inactive until it was ultimately decommissioned in 1993, and the IX building was sold and removed from the site.

Closure of the Northeast Church Rock Mine continued between 1986 and the end of 1994 pursuant to NRC requirements. In addition to removing the IX Plant and sludge from the treatment ponds, closure actions included: removal of equipment and some buildings; backfilling and sealing the two shafts and associated vent holes with reinforced concrete caps; and regrading, covering and revegetating the non-economic materials storage area. The only remaining structural features include the main office, power poles, building foundations, and other concrete platforms. The concrete pads were left standing at the request of the Navajo Nation Churchrock Chapter. Debris associated with mine operation (tires, cable, wood pallets, other miscellaneous material) was buried in an area located on a part of Section 34 owned by UNC, referred to as "the bone yard." As part of the closure activities, some of this material was removed from the bone yard for disposal off-site. The bone yard area was covered with one foot of soil and reseeded at the end of 1994. Additional information regarding the Northeast Church Rock Mine may be found in the Final Removal Site Evaluation Report for the Northeast Church Rock Mine Site that UNC submitted to EPA in October 2007, and UNC's response to EPA's "Request for Information – United Nuclear Corporation Northeast Church Rock Mine Site, McKinley County, New Mexico." *See also* documents listed in Attachment B, Table 2, produced with this Response.*

2. Church Rock Mill.

The Church Rock Mill facility is a former uranium processing plant owned and operated by UNC that was located on Section 2, Township 16 North, Range 16 West. UNC owns this property in fee simple. The Church Rock Mill was an acid leach, counter-current decantation, solvent extraction uranium mill. Tailings and waste water from the mill were impounded in ponds on the mill property. The main mill areas were the grinding, leaching, and solvent extraction areas, as well as the yellowcake drying and handling areas. The mill began operations in June 1977 and closed in 1982. Average ore throughput for the operation of the mill was approximately 3,500 tons per day. The mill processed ore from UNC mines operating between 1977 and 1982, as well as tolled ore owned by others, principally Kerr McGee Nuclear Corporation. Additional information regarding the operations at the Church Rock Mill can be found in: (a) EPA's 1988 RI/FS Report; (b) EPA's Record of Decision, UNC, EPA ID # NMD 0304 (1988); (c) Five Year Review Report, UNC, Groundwater Operable Unit, September 1998; (d) Second Five Year Review Report for the UNC Groundwater operable Unit (September 2004); and (e) NRC Materials License No. SUA 1475 and amendments thereto.

In July 1979, the dam on the south tailings impoundment breached, releasing tailings and contaminated water to the Rio Puerco. The dam was repaired shortly after its failure. Cleanup of the resultant spill was conducted in accordance with state and federal agency criteria. After the cleanup, the New Mexico Environmental Improvement Division (NMEID) reported that surface waters in the Puerco River had returned to "pre-spill conditions." New Mexico Environmental Improvement Division. *The Church Rock Uranium Mill Tailings Spill: A Health and Environmental Assessment - Executive Summary.* NMEID (Santa Fe, N.M.), October 1982.

An extensive administrative record for the Church Rock Mill site exists at EPA Region 6. Documents in the record include descriptions of the operational history of the mill and of the 1979 spill. Additionally, the Church Rock Mill site is subject to NRC Materials License No. SUA 1475 and amendments thereto. Based upon this large volume of existing documentation, EPA has agreed that GE and UNC do not need to provide additional information regarding the Church Rock Mill at this time. *See also* documents listed in Attachment B, Table 2, produced with this Response.*

3. Section 17, Old Church Rock Mine.

The Church Rock Mine, often referred to as the Old Church Rock Mine after the Northeast Church Rock Mine opened, is a closed underground uranium mine located in the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 16 North, Range 16 West, in McKinley County, New Mexico. The mine workings consisted of surface facilities and a single, 12-foot-wide, concrete-lined shaft that was 865 feet deep. The Old Church Rock Mine was mined in a room and pillar method. From 1960 to 1962, the Phillips Petroleum Company mined 77,965 tons of ore yielding 302,608 pounds of uranium concentrate from the mine, all or substantially all of which was sold to the United States government. The mine was closed in 1962. In 1962, the mine was acquired by Quinta Corporation. In July 1963, UNC acquired the properties of the Quinta Corporation, including the Old Church Rock Mine. UNC reopened the mine in 1976, and operated it from 1976 until 1977 when it was placed on standby, and again from 1979 until April 1982, when the mine was shut down. In total, the mine produced approximately 900,000 pounds of uranium concentrate.

During UNC's operation of the Old Church Rock Mine, all ore was taken to the Church Rock Mill for processing. From late 1979 until approximately January 1983, the Church Rock Mine also operated an ion exchange ("IX") facility to treat water pumped from the mine. The mine had a substantial inflow of groundwater, which was brought to the surface through a pumping system. The mine water was first pumped into settling ponds, which allowed suspended particles to drop out through slow flow and gravity, aided by a flocculent that attached to the particles and accelerated the process. In subsequent settling ponds, barium chloride was added to precipitate the naturally occurring sulfate ion in the mine water and the extra sulfate ion added. Additionally, excess sulfuric acid was added to lower the pH to permissible levels and to reduce radium levels to comply with NPDES requirements. The mine water was then treated in an IX plant to remove the uranium, which was then processed and sold. The design was an upflow, two-stage uranium and one-stage radium removal by ion exchange. The IX system removed uranium and radium by contacting discharge waters with beads of synthetic ion-exchange resins in three cylindrical tanks. As the solution contacted the resin, the sulphate on the resin was exchanged with the uranium in the solution. The uranium concentrated on the resin and, as resin became loaded with uranium, it was rotated for elution and processing. The treated mine water, now within NPDES limits, was discharged to the arroyo. *See* documents listed in Attachment B, Table 2, produced with this Response.

4. Black Jack No. 1 Mine.

Black Jack No. 1 is a closed underground uranium mine located in the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 12, Township 15 North, Range 13 West, in

McKinley County, New Mexico. The mine workings consisted of a 825-foot, three-compartment shaft with multiple drifts. The mine was operated from 1959 through 1967, although uranium deliveries from the mine continued until 1971. Upon information and belief, deliveries from 1967 (after closure) through 1971 were from ore stockpiles, not the resumption of mining at Black Jack No. 1. In total, the mine produced approximately 1.44 million tons of ore yielding approximately 6,447,000 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. The Black Jack No. 1 Mine property was acquired by Sabre-Pinon Corporation in December of 1958, and placed in Lance Corporation for development. Lance Corporation was a subsidiary of Sabre-Pinon Corporation. Sabre-Pinon Corporation was a predecessor of UNC. The mine was operated from 1959 until 1961 by Lance Corporation. In December 1961, all of the properties of the Lance Corporation, including the Black Jack No. 1 Mine, were consolidated into Homestake-Sapin Partners, a partnership between Homestake Mining Company and Sabre-Pinon Corporation. The mine was operated thereafter by Homestake-Sapin Partners. The mine was closed in 1967, and the shaft was covered with a steel plate. Later, the shaft was filled and cemented over. In 1968, Homestake-Sapin Partners changed its name to United Nuclear-Homestake Partners. In 1981, UNC sold its interest in the United Nuclear-Homestake partnership to Homestake Mining Company, including any remaining interest in the Black Jack No. 1 Mine, and the partnership was dissolved. *See* documents listed in Attachment B, Table 2, produced with this Response.

5. Black Jack No. 2 Mine.

Black Jack No. 2 is a closed underground uranium mine located in the Northwest 1/4 of Section 18, Township 15 North, Range 13 West, in McKinley County, New Mexico. The mine workings consisted of a 330-foot vertical shaft with drifts. The mine was operated from 1960 through 1964, although uranium deliveries from the mine continued until 1970. Upon information and belief, deliveries from 1964 (after closure) through 1970 were from ore stockpiles, not the resumption of mining at Black Jack No. 2. In total, the mine produced 247,613 tons of ore yielding 1,129,004 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. The Black Jack No. 2 Mine property was acquired by Sabre-Pinon Corporation in December of 1958, and placed in Lance Corporation for development. Lance Corporation was a subsidiary of Sabre-Pinon Corporation. Sabre-Pinon Corporation was a predecessor of UNC. The mine was operated from 1959 until 1961 by Lance Corporation. In December 1961, all of the properties of the Lance Corporation, including the Black Jack No. 2 Mine, were consolidated into Homestake-Sapin Partners, a partnership between Homestake Mining Company and Sabre-Pinon Corporation. The mine was operated thereafter by Homestake-Sapin Partners. The mine was closed in 1964, the pillars were extracted, and the shaft was filled and covered with a concrete slab. In 1968, Homestake-Sapin Partners changed its name to United Nuclear-Homestake Partners. In 1981, UNC sold its interest in the United Nuclear-Homestake partnership to Homestake Mining Company, including any remaining interest in the Black Jack No. 2 Mine, and the partnership was dissolved. *See* documents listed in Attachment B, Table 2, produced with this Response.

6. Mac No. 1 Mine.

Mac No. 1 is a closed underground uranium mine located in the Northeast 1/4 of the Southeast 1/4 of Section 12, Township 15 North, Range 14 West, in McKinley County, New

Mexico. The mine workings consisted of a 515-foot vertical shaft with 2 levels. The mine was operated from 1968 through 1971, although uranium deliveries from the mine continued until 1979 or 1980. Upon information and belief, deliveries from 1971 (after closure) through 1979/1980 were from ore stockpiles, not the resumption of mining at Mac No. 1. In total, the mine produced approximately 400,000 pounds of uranium concentrate. Of that total production, approximately 300,000 pounds were sold to the United States government. The Mac No. 1 Mine was operated by Homestake-Sapin Partners, a partnership between Homestake Mining Company and Sabre-Pinon Corporation. Sabre-Pinon Corporation was a predecessor of UNC. Shortly after operations commenced at the Mac No. 1 Mine, Homestake-Sapin Partners changed its name to United Nuclear-Homestake Partners. The mine was closed in 1971, and the shaft was backfilled and covered with a concrete slab. In 1981, UNC sold its interest in the United Nuclear-Homestake partnership to Homestake Mining Company, including any remaining interest in the Mac No. 1 Mine, and the partnership was dissolved. *See* documents listed in Attachment B, Table 2, produced with this Response.

7. Mac No. 2 Mine.

Mac No. 2 is a closed underground uranium mine located in the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 18, Township 15 North, Range 13 West, in McKinley County, New Mexico. The mine workings consisted of a 288-foot vertical shaft with multiple drifts. The mine was operated from 1968 through 1970. In total, the mine produced 31,194 tons of ore yielding 109,009 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. The Mac No. 2 Mine was operated by Homestake-Sapin Partners, a partnership between Homestake Mining Company and Sabre-Pinon Corporation. Sabre-Pinon Corporation was a predecessor of UNC. Shortly after operations commenced at the Mac No. 2 Mine, Homestake-Sapin Partners changed its name to United Nuclear-Homestake Partners. The mine was closed in 1970, and the shaft was backfilled and covered with a concrete slab. In 1981, UNC sold its interest in the United Nuclear-Homestake partnership to Homestake Mining Company, including any remaining interest in the Mac No. 2 Mine, and the partnership was dissolved. *See* documents listed in Attachment B, Table 2, produced with this Response.

8. Section 13.

Section 13, sometimes referred to as the Teton push-pull in-situ leach site and also referred to (along with other properties) as Mancos or the Mancos Properties, is a former uranium exploration site in Section 13, Township 16 North, Range 17 West, in McKinley County, New Mexico. The site originally was leased by the Quinta Corporation. In 1963, the lease for this property was assigned to UNC. In 1974, the lease on Section 13 was transferred to UNC's wholly-owned exploration subsidiary, Teton Exploration Drilling Company, Inc., which later was renamed UNC Teton Exploration Drilling, Inc. In 1977 and 1978, exploratory drilling was conducted on Section 13 and core samples were taken from 8 drill holes. The drilling program was completed in March 1978 and reclamation began. All drill holes were plugged and marked and the drilling sites were leveled and reseeded. In 1980, UNC Teton Exploration Drilling, Inc. conducted hydrologic tests on the property to determine its suitability for in-situ uranium mining. These tests were conducted pursuant to a permit issued by the New Mexico State Engineer. Tests were conducted using the push-pull method, by injecting a solution

containing 1 g/l sodium bicarbonate and .75 g/l hydrogen peroxide into drill holes at a depth of approximately 675 feet. The test site was visited by representatives of the New Mexico Environmental Improvement Division. Upon completion of the test, the site was restored and a ground radiation survey was conducted. There was no commercial production of uranium ore or uranium concentrate from this site. *See* documents listed in Attachment B, Table 2, produced with this Response.

9. Additionally, UNC, a predecessor of UNC, or a partnership or joint venture in which either UNC or a predecessor of UNC was a partner or joint venturer, may have conducted some uranium exploration activities or exploratory analyses on the properties identified below. Many of these properties may not be within EPA's definition of "Navajo Nation" in the Request, and GE and UNC do not concede that they fall within even that broad definition. In an effort to provide as comprehensive a response as possible, however, these properties have been included.

At some sites, exploration activities may have included exploratory drilling, core sampling, electric logs, gamma surveys, neutron and density surveys, geophysical surveys, geologic mapping, soil and rock sampling, and geochemical analysis. At other sites, UNC may only have analyzed data from scans or core samples performed by predecessors in title, performed by competitor companies and obtained by UNC pursuant to trade hole agreements or otherwise, or performed by the United States government, acting through the Atomic Energy Commission, the Department of Energy, or the Department of the Interior. To the best of its knowledge, neither UNC nor any of its predecessors or affiliates ever engaged in uranium mining at any of the below properties.

T 10 N	R 3 W	32	T 13 N	R 10 W	12	T 14 N	R 12 W	28
T 11 N	R 3 W	4	T 13 N	R 10 W	18	T 14 N	R 13 W	2
T 11 N	R 3 W	5	T 13 N	R 10 W	23	T 14 N	R 14 W	13
T 11 N	R 3 W	8	T 13 N	R 9 W	6	T 14 N	R 14 W	14
T 11 N	R 3 W	9	T 14 N	R 10 W	4	T 14 N	R 17 W	7
T 11 N	R 3 W	10	T 14 N	R 10 W	8	T 14 N	R 17 W	9
T 11 N	R 3 W	16	T 14 N	R 10 W	10	T 14 N	R 17 W	15
T 11 N	R 3 W	17	T 14 N	R 10 W	28	T 14 N	R 17 W	17
T 11 N	R 3 W	19	T 14 N	R 12 W	6	T 14 N	R 17 W	21
T 11 N	R 3 W	20	T 14 N	R 12 W	8	T 15 N	R 10 W	5
T 13 N	R 10 W	4	T 14 N	R 12 W	26	T 15 N	R 10 W	6

T 15 N	R 10 W	14
T 15 N	R 10 W	26
T 15 N	R 10 W	31
T 15 N	R 10 W	32
T 15 N	R 11 W	12
T 15 N	R 11 W	15
T 15 N	R 11 W	22
T 15 N	R 11 W	25
T 15 N	R 11 W	26
T 15 N	R 11 W	35
T 15 N	R 12 W	7
T 15 N	R 12 W	24
T 15 N	R 14 W	1
T 15 N	R 14 W	3
T 16 N	R 11 W	14
T 16 N	R 11 W	22
T 16 N	R 11 W	26
T 16 N	R 12 W	14
T 16 N	R 12 W	20
T 16 N	R 12 W	26
T 16 N	R 12 W	32
T 16 N	R 13 W	1
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T 16 N	R 13 W	4
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T 16 N	R 13 W	7
T 16 N	R 13 W	9
T 16 N	R 13 W	10
T 16 N	R 13 W	11
T 16 N	R 13 W	14
T 16 N	R 13 W	15
T 16 N	R 13 W	17
T 16 N	R 13 W	31
T 16 N	R 13 W	32
T 16 N	R 13 W	33
T 16 N	R 15 W	18
T 16 N	R 15 W	24
T 16 N	R 15 W	25
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T 16 N	R 15 W	33
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T 16 N	R 16 W	13
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T 16 N	R 16 W	24
T 16 N	R 16 W	25
T 16 N	R 16 W	28
T 16 N	R 16 W	34
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T 16 N	R 21 W	27
T 17 N	R 11 W	12
T 17 N	R 11 W	18
T 17 N	R 11 W	22
T 17 N	R 11 W	30
T 17 N	R 12 W	15
T 17 N	R 12 W	19
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T 18 N	R 11 W	21
T 18 N	R 11 W	22
T 18 N	R 11 W	26
T 18 N	R 11 W	28
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T 18 N	R 11 W	34

Question No. 5. For any property identified by you, describe what waste by-product(s) was produced during your operations.

Response to Question No. 5. GE and UNC object to this Question as unreasonably broad and unduly burdensome. Subject to those objections, GE and UNC respond as follows. GE never conducted operations on any of the properties identified in this Response. UNC, a predecessor of UNC, or a partnership in which either UNC or a predecessor of UNC was a partner, along with other companies that conducted uranium mining operations at the time, may have produced the following waste by-products during their operations.

1. Tailings materials (often referred to as 11(e)(2) materials) were generated through the processing of uranium ore at uranium mills, including the Church Rock Mill. These by-product materials are subject to regulation by NRC under the Atomic Energy Act, the Uranium Mine Tailings Radiation Control Act ("UMTRCA") Titles I and II, and 10 C.F.R. Part 40, Appendix A. Tailings were disposed of in regulated impoundments. A description of waste products generated at the Church Rock Mill and how they were handled is included in: (a) EPA's 1988 RI/FS Report; (b) EPA's Record of Decision, UNC, EPA ID # NMD 0304 (1988); (c) Five Year Review Report, UNC, Groundwater Operable Unit, September 1998; (d) Second Five Year Review Report for the UNC Groundwater Operable Unit (September 2004); (e) NRC Materials License No. SUA 1475 and amendments thereto; and other documents contained in the administrative record at EPA Region 6. Some course tailings sands were used to backfill excavated mine stopes at the Northeast Church Rock Mine in accordance with the radioactive materials license.

2. Waste rock from mining operations was typically placed on and around the mine site, and was used for fill or other useful purposes at the mine location.

3. Waste by-products produced at the Northeast Church Rock Mine include waste rock, non-economic or low grade ore, rubbish, old mining equipment, and waste water from mining operations. A more detailed description of waste by-products generated at the Northeast Church Rock Mine is included within the Final Removal Site Evaluation Report for the Northeast Church Rock Mine Site submitted to EPA in October 2007.

4. At the Northeast Church Rock Mine, the Sediment Pad was used to store sediments removed from the mine water during radium precipitation treatment. Refuse and other discarded mining material was placed in an area called the bone yard. A more detailed description of waste by-products generated at the Northeast Church Rock Mine is included in the Final Removal Site Evaluation Report for the Northeast Church Rock Mine Site submitted to EPA in October 2007.

Question No. 6. For each waste by-product identified by you, describe what you did with these waste by-products.

a. Specifically, also describe what you did with:

(i) uranium protore or uneconomic material

(ii) any listed or unlisted hazardous substances

(iii) dewatering or surface water discharge

b. Provide all documentation which describes how waste by-product was stored, treated, disposed or deposited at the property.

c. For each waste by-product identified, provide a map identifying where on the property these wastes were stored, treated, disposed or deposited.

Response to Question No. 6. GE and UNC object to this Question as unreasonably broad and unduly burdensome. Subject to those objections, GE and UNC respond as follows. GE never owned, possessed, generated, transported, stored, deposited, disposed of, treated, or arranged for the transportation, disposal or treatment of the uranium waste by-products that are the subject of Questions 5 and 6. Waste by-products from UNC's operations were handled as described below.

1. Uranium protore or "uneconomic" material. Uranium protore or "uneconomic" material generally was kept at the mine location for potential use if it became economic in the future. Some of the material at the mine sites described in this Response may now be a useful product given the current market value of uranium and other developments and market conditions. *See* Final Removal Site Evaluation Report for the Northeast Church Rock Mine Site submitted to EPA in October 2007.

2. Any listed or unlisted hazardous substances. Wastes from the extraction, beneficiation, and processing of ores and minerals are excluded from regulation as hazardous wastes under Resource Conservation and Recovery Act ("RCRA") pursuant to the Bevill Amendment, section 3001(b)(3)(A). For a description of waste by-products produced during operations, see the documents produced with this Response and the administrative record documents referenced in prior responses concerning the Church Rock Mill and the Northeast Church Rock Mine.

3. Dewatering or surface water discharge. At the Northeast Church Rock Mine, the dewatering process and surface water discharge involved the following. Water was treated in three constructed ponds to reduce suspended solids and radionuclide concentrations. Discharges to the unnamed arroyo were released pursuant to NPDES requirements. Treatment processes were added or changed over the years, principally to meet revisions to discharge requirements as dictated by the CWA and implementing regulations. Even before the permit requirements became applicable, ponds were used to settle suspended solids. Pond No. 1 functioned as a surge tank to allow for homogenization and sand settling. A flocculent also was added in Pond No. 1 to remove suspended solids. The clarified water then flowed into Pond No. 2. Between Pond No. 2 and Pond No. 3a, sulfuric acid and barium chloride were added, resulting in the removal of radium through precipitation as radium sulfate in Pond No. 3/3a. Water from Pond No. 3 was fed to the IX plant for the recovery of uranium and then discharged.

For additional detail, see documents listed in Attachment B, Table 3, which are produced with this Response.

Question No. 7. For each property, identify and describe all reclamation or cleanup efforts made by you to address waste by-products and/or to prevent potential releases of hazardous substances.

Response to Question No. 7. GE and UNC object to this Question as unreasonably broad, unduly burdensome, and duplicative of prior requests for information propounded upon UNC and of information otherwise provided to EPA by GE and UNC. Subject to those objections, GE and UNC respond as follows.

1. Northeast Church Rock Mine.

UNC performed major reclamation of the mine and ventilation holes in January and February 1984. It hauled away and buried debris and trash in May 1994. UNC cemented underground sandfill and supply holes in March 1994. In April 1994, UNC filled ventilation hole #5 and compacted it with natural soil. Between June-August 1994, UNC recontoured and placed soil cover in the area of ventilation holes 3, 8 and 10, as well as the canyon pole and canyon areas, which were subsequently seeded and mulched in September 1994. UNC also placed riprap in the canyon drainage areas around this time.

Substantial additional work has been undertaken since that time. UNC completed its Final Removal Site Evaluation Report for the property in October 2007. UNC has communicated frequently with EPA since that time to consider appropriate protective remedies and issues associated with those remedies. GE on behalf of UNC worked with EPA and the Navajo Nation earlier this year on soil removal in the vicinity of three Navajo residences and associated structures located in the NECR-1 step-out area. GE and UNC have worked cooperatively with the federal regulatory agencies and the Navajo Nation, and have participated in stakeholder meetings as recently as August 13, 2008 in an effort to assist in determining additional appropriate response actions. GE also has met frequently with Navajo Nation representatives in a dialogue aimed at finding a mutually acceptable solution to address the Northeast Church Rock Mine and other mine sites in the vicinity of the Navajo Reservation.

2. Church Rock Mill.

A description of the response actions that UNC has undertaken to date and continues to undertake are described in detail in: (a) EPA's 1988 RI/FS Report for the Church Rock Mill site; (b) EPA's Record of Decision, UNC, EPA ID # NMD 0304 (1988); (c) Five Year Review Report, UNC, Groundwater Operable Unit, September 1998; (d) Second Five Year Review Report for the UNC Groundwater operable Unit (September 2004); and (e) NRC Materials License No. SUA 1475 and amendments thereto. These reports and related documents describe in significant part the successes in NRC decommissioning and EPA remediation that UNC had accomplished to date. UNC continues to work closely with EPA Region 6 and NRC to move towards final decommissioning of the site under NRC and DOE requirements, and to resolve finally any remaining response issues with EPA. UNC refers EPA to these documents for a detailed description of the decommissioning and remediation actions to date.

3. Section 17, Old Church Rock Mine.

The last day of production at the mine was April 30, 1982. By June 14, 1982, all main entries to the mine had been bolted and cribbed, and all equipment had been brought to the surface. The cleanup of the mine yard was completed on June 20, 1982. Materials and supplies were moved to the Northeast Church Rock Mine, and the Old Church Rock buildings were boarded up. By the end of July 1982, the waste dump had been buried and covered with soil to promote regrowth of vegetation, and the property was secured with fences.

4. Black Jack No. 1 Mine.

Mining operations ceased on June 30, 1967. In July 1967, the vent holes and main shaft were sealed with half-inch steel plates, which were welded in place. Surface equipment was dismantled and taken to the Homestake-Sapin Partners warehouse. The State Inspector of Mines inspected the sealing of the shaft and vent holes on July 24, 1967, and noted that the sealing was done properly and "gratefully acknowledged" the "courtesy and cooperation of officials and employees" at the Mine. In 1972, at the direction of the United States Geological Survey and the Bureau of Indian Affairs, the mine shaft was backfilled and cemented over.

5. Black Jack No. 2 Mine.

In August of 1964, Homestake-Sapin Partners requested permission from the United States Department of the Interior to extract the shaft pillars, backfill the shaft, and seal the mine. After the United States Department of the Interior granted such permission (also in August 1964), the shaft pillars were extracted, the shaft was backfilled, and the mine's vent holes and shaft were sealed with half-inch steel plates. Subsequently, the mine shaft was covered with a concrete slab.

6. Mac No. 1 Mine.

Mining operations ceased in April 1971. Mining equipment was removed from the property, and the shaft was backfilled and covered with a concrete slab.

7. Mac No. 2 Mine.

After the mine was closed in 1970, the shaft was backfilled and covered with a concrete slab.

8. Section 13.

In 1978, exploratory drill holes on Section 13 were plugged and marked, and the drill sites and roads leading to them were regraded and reseeded. After in-situ uranium mining testing was completed in 1980, the site was restored, wells were cemented over, and ground radiation surveys were conducted.

For additional detail, see documents listed in Attachment B, Table 4, which are produced with this Response.

Question No. 8. Specifically, identify and describe any and all operations you conducted at the mine sites listed below. For each of these mines, answer questions 2-7 above as it applies to the site.

Mine	Aliases
NE Church Rock	
Billy the Kid	Section 19; Maddox and Teague; Prewitt, Greer, Warren and McCormack, Red Top No. 1, 3-7; Prewitt
Kermac Mine No. 22	Section 22;
A&B No. 3	
Mariano Lake	Gulf; Section 12
NE Church Rock No. 1	Section 35 Mine; Kerr McGee Quivira
Church Rock	
Charles Keith	Olijeto Mesa West; Keith Mine-A; Olijeto
C D and S	Section 35
Rock Door No. 1	Rock Door Mine
Black Jack No. 1	
Haystack	DOE lease NM-1-B; MLB-NM-B-1; Section 13 NM-B-1 lease, Railroad section, Arthur Bibo; Section 13 Pit
Glover	
Monument No. 2	Chee Nez No. 1; VCA Mining Unit No. 66;
Mac No. 1	
NE Church Rock No1-East	Churchrock 1 East; Kerr McGee Section 36 Mine
Section 18 and Section 18 SEQ	Brown Vanderer; Williams; Williams and Thompson
Haystack No. 1	Haystack; Haystack-Section 19 Open Pit Complex
Moonlight Mine	
Mesa I, Mine No. 10-15	Mesa I Mine 10-15, Mesa 1 Mine #10-15

Response to Question No. 8. GE and UNC object to this Question as redundant and unduly burdensome. Subject to those objections, GE and UNC respond to this Question as follows. UNC, one of its predecessors, or a partnership in which either UNC or a predecessor of UNC was a partner conducted operations at the following mines identified in the above chart: (1) Northeast Church Rock Mine ("NE Church Rock" on chart); (2) Church Rock Mine ("Church Rock" on chart); (3) Black Jack No. 1 Mine; and (4) Mac No. 1 Mine. All of the information requested in Question No. 8 concerning these four mines was provided previously in this Response, specifically, in response to Question Nos. 2-7.

With the exception of the four mines identified in response to this Question, to the best of its knowledge, neither UNC nor any of its predecessors or affiliates conducted operations at the mine sites on the above chart. GE never owned or conducted operations at any of the mine sites on the above chart.

Question No. 9. For each of the mine sites identified in the table above, identify any other person(s) or entity(ies) which operated at the mine. Provide the dates of their operations and describe their operations.

Response to Question No. 9. GE and UNC object to this Question as unreasonably broad, unduly burdensome, and because it calls for information not in the possession, custody, or control of GE or UNC, information that can be obtained more easily from entities other than GE and UNC, and information that can be obtained from publicly available sources. Subject to those objections, and upon information and belief, GE and UNC respond to this Question by providing the following information concerning mine sites that neither GE nor UNC ever owned or operated.

1. Billy the Kid (aliases: Section 19; Maddox and Teague; Prewitt, Greer, Warren and McCormack, Red Top No. 1, 3-7; Prewitt).

Upon information and belief, Billy the Kid is an abandoned uranium mine site located in McKinley County, New Mexico, in § 19 T14N/R11W. The site was mined in numerous shallow open pits approximately 15 feet deep. Billy the Kid was mined from approximately 1952 until 1960, producing approximately 2,693 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. Some small-scale mining of this site may also have taken place in 1976, with unknown production. Operators of the site from 1952 through 1960 included: Warren McCormick; Maddox-Teague; Continental Divide; H.E. Andrews; and Don W. Wright. The operator in 1976 was Henry Andrews.

2. Kermac Mine No. 22 (alias: Section 22).

Upon information and belief, Kermac Mine No. 22 is a former underground uranium mine and heap leach facility located in McKinley County, New Mexico, in § 22 T14N/R10W. The mine consisted of a single, 826-foot vertical shaft. Kermac Mine No. 22 was mined from approximately 1958 until 1985. From 1958 through 1970 the mine produced approximately 11,605,672 pounds of uranium concentrate from underground mining, and an additional 38,105 pounds of uranium concentrate from a heap leach facility, all or substantially all of which was sold to the United States government. Upon information and belief, between 1970 and 1985 the

mine produced additional millions or tens of millions of pounds of uranium concentrate. The mine was operated from 1958 to 1964 by Kermac Nuclear Fuels Corporation, and from 1965 until 1983 by Kerr-McGee Corporation. In 1983, Kerr-McGee reorganized its New Mexico mining operations into the Quivira Mining Co. Quivira Mining Co. operated the mine until 1985.

3. A&B No. 3.

Upon information and belief, A & B No. 3 is an abandoned uranium mine located in Coconino County, Arizona, in § 27 T29N/R9E. GE and UNC have no further knowledge or information about this mine.

4. Mariano Lake (aliases: Gulf; Section 12).

Upon information and belief, Mariano Lake is a former underground uranium mine located in McKinley County, New Mexico, in § 12 T15N/R14W. The mine consisted of a single, 519-foot shaft. Mariano Lake was mined from approximately 1977 until 1982. Upon information and belief, the mine produced millions or tens of millions of pounds of uranium concentrate. The mine was operated by Gulf Oil Corporation or an affiliate of that company.

5. NE Church Rock No. 1 (aliases: Section 35 Mine; Kerr McGee Quivira).

Upon information and belief, NE Church Rock No. 1 is a former underground uranium mine located in McKinley County, New Mexico, in § 35 T17N/R16W. The mine consisted of a 1,851-foot shaft pumping 700 tons of mine water, was mined in a room and pillar method, and utilized track equipment. The mine was operated from 1976 until 1985. Upon information and belief, this mine together with NE Church Rock No. 1-East (see below) produced approximately five million pounds of uranium concentrate. The mine was operated by Kerr-McGee Corporation from 1976 until 1983, when it reorganized its New Mexico mining operations into the Quivira Mining Co. Quivira Mining Co. operated the mine until 1985.

6. Charles Keith (aliases: Olijeto Mesa West; Keith Mine-A; Olijeto).

Upon information and belief, Charles Keith is an abandoned uranium mine located in San Juan County, Utah. GE and UNC have no further knowledge or information about this mine.

7. C D and S (alias: Section 35).

Upon information and belief, C D and S is an abandoned uranium mine site located in McKinley County, New Mexico, in § 35 T16N/R17W. The site was mined in prospect pits and face cuts approximately 50 feet deep. Upon information and belief, the site was mined in 1957 and it produced approximately 48 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. The site was operated by the C D and S Mining Co.

8. Rock Door No. 1 (alias: Rock Door Mine).

Upon information and belief, Rock Door No. 1 is an abandoned uranium mine located in San Juan County, Utah, in § 20 T43S/R15E. GE and UNC have no further knowledge or information about this mine.

9. Haystack (aliases: DOE lease NM-1-B; MLB-NM-B-1; Section 13 NM-B-1 lease, Railroad section, Arthur Bibo; Section 13 Pit).

Upon information and belief, Haystack is a former open-pit uranium mine site located in McKinley County, New Mexico, in § 13 T13N/R11W. The site was mined by various operators working different pits in different areas of Section 13 at different times. From 1956 through 1961, the site produced a total of approximately 20,000 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. During that period, the site was operated by Arthur Bibo and the Haystack Mountain Development Corporation. The site also was mined from 1975 through 1982 by the Todilto Exploration and Development Company. During that period, approximately 460,000 pounds of uranium concentrate was produced.

10. Glover.

Upon information and belief, Glover (aliases Glover Claims; Fred Glover) is an abandoned uranium mine site located in McKinley County, New Mexico, in § 20 T14N/R11W. The site was mined in shallow open pits in the early 1950s by Fred Glover. Production, if any, was small and all or substantially all of the uranium ore or concentrate produced was sold to the United States government.

11. Monument No. 2 (aliases: Chee Nez No. 1; VCA Mining Unit No. 66).

Upon information and belief, Monument No. 2 is an abandoned uranium mine located in Apache County, Arizona, in § 27 T41N/R23E. GE and UNC have no further knowledge or information about this mine.

12. NE Church Rock No. 1-East (aliases: Churchrock 1 East; Kerr McGee Section 36 Mine).

Upon information and belief, NE Church Rock No. 1-East is a former underground uranium mine located in McKinley County, New Mexico, in § 36 T17N/R16W. The mine consisted of a 1,635-foot shaft and utilized track equipment. The mine was operated from 1979 until 1985. Upon information and belief, this mine together with NE Church Rock No. 1 (see above) produced approximately five million pounds of uranium concentrate. The mine was operated by Kerr-McGee Corporation from 1979 until 1983, when it reorganized its New Mexico mining operations into the Quivira Mining Co. Quivira Mining Co. operated the mine until 1985.

13. Section 18 and Section 18 SEQ (aliases: Brown Vanderer; Williams; Williams and Thompson).

Upon information and belief, Section 18 and Section 18 SEQ are two uranium mine sites located in McKinley County, New Mexico, in § 18 T13N/R10W. Section 18 SEQ (alias Williams), located in the Southeast 1/4 of Section 18, was a small open pit uranium mine that produced in the early 1950s. Section 18 SEQ was operated by Glen Williams. Section 18 (aliases Williams and Thompson; Brown Vandever), located in the Southwest 1/4 of Section 18, was mined intermittently from 1952 until 1966. Operators of Section 18 from 1952 to 1953 included F.A. Sitton, Thompson and Williams, and Glen Williams. Section 18 was operated from 1955-1956 by Santa Fe Uranium Co., from 1956-1959 by Federal Uranium Corporation, from 1963-1964 by Mesa Mining Co., and in 1966 by Cibola Mining Co. In total, Section 18 SEQ and Section 18 produced approximately 98,175 pounds of uranium concentrate, all or substantially all of which was sold to the United States government.

14. Haystack No. 1 (aliases: Haystack; Haystack-Section 19 Open Pit Complex).

Upon information and belief, Haystack No. 1 is a former open-pit uranium mine site located in McKinley County, New Mexico, in § 19 T13N/R10W. The site consisted of a large open pit complex, with the deepest pit approximately 60 feet deep. In intermittent production between 1952 and 1965, it produced approximately 562,267 pounds of uranium concentrate, all or substantially all of which was sold to the United States government. The mine operator during this period was Haystack Mountain Development Corporation. The site also was mined from 1975 through 1982 by the Todilto Exploration and Development Company. During that period, additional hundreds of thousands, and possibly millions, of pounds of uranium concentrate was produced.

15. Moonlight Mine.

Upon information and belief, the Moonlight Mine is an abandoned open pit uranium mine located in Navajo County, Arizona, in § 16 T41N/R19E. GE and UNC have no further knowledge or information about this mine beyond that presented by the Navajo Nation at the stakeholders' meeting on August 13, 2008.

16. Mesa I, Mine No. 10-15 (aliases: Mesa I Mine 10-15, Mesa 1 Mine #10-15).

Upon information and belief, Mesa I, Mine No. 10-15 is an abandoned uranium mine located in Apache County, Arizona in §§ 15, 16, and/or 22 T36N/R29E. GE and UNC have no further knowledge or information about this mine.

Question No. 10. If you have any reason to believe that there may be persons able to provide a more detailed or complete response to any part of this information request or who may be able to provide additional responsive documents, please identify such persons, including their last known addresses and telephone number.

Response to Question No. 10.

GE and UNC are aware of at least three persons (within the meaning of CERCLA section 101(21), 42 U.S.C. § 9601(21)) who have knowledge and information responsive to this Request.

1. The United States Government.

The United States owned or owns all or substantially all of the property on which the mine sites in this Response were located, either in trust for the Navajo Nation or for individual Navajo allottees. The United States, through the Bureau of Indian Affairs ("BIA") has exercised control over these trust and allotted lands, has entered into lease agreements on behalf of the Navajo, and may have additional liability under other laws and theories.

Moreover, during the period when many of these mine sites were operating, the United States Government – primarily through the Atomic Energy Commission ("AEC") – controlled all aspects of uranium exploration, production, processing, and marketing, so that it could retain complete control over the development of nuclear power and weapons. Defense contractors such as UNC and its predecessors and affiliates entered into contracts with the United States to construct and operate uranium ore processing plants and to sell exclusively to the United States the uranium concentrate produced in those plants at government specifications and at government-determined rates. The United States, through the AEC, NRC, DOE, BIA, and other agencies or instrumentalities, exerted plenary control over the uranium industry throughout the Cold War.

Accordingly, and because of the pervasive and dominant control the United States government exercised over the entire uranium industry, GE and UNC believe that the United States has a wealth of knowledge and information responsive to this Request as well as distinct liability for any costs of investigation and cleanup. GE and UNC have propounded requests under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA") to the following agencies or instrumentalities of the United States requesting such responsive information and documents: (1) the Nuclear Regulatory Commission; (2) the Bureau of Indian Affairs; (3) the Bureau of Land Management; (4) the Department of Energy; and (5) the United States Geological Survey. GE and UNC are willing to make available to EPA the responses to these FOIA requests when they are received.

2. Barrick Gold Corporation.

Upon information and belief, Barrick Gold Corporation is the successor to Homestake Mining Company. In December 1956, a predecessor of UNC, Sabre-Pinon Corporation, entered into a partnership with Homestake Mining Company called Homestake-Sapin Partners. In 1968, Homestake-Sapin Partners changed its name to United Nuclear-Homestake Partners. Homestake-Sapin Partners/ United Nuclear-Homestake Partners operated a number of the mines discussed in this Response, including Black Jack No. 1, Black Jack No. 2, Mac No. 1, and Mac No. 2, as well as numerous uranium exploration sites in the vicinity of the Navajo Reservation. Homestake Mining Company was the managing partner of the partnership. In 1981, UNC sold its interest in the United Nuclear-Homestake partnership to Homestake Mining Company, and the partnership was dissolved. On or about December 14, 2001, Homestake Mining Company was merged into Barrick Gold Corporation.

3. Hydro Resources Inc.

Hydro Resources Inc., and/or its parent Uranium Resources Inc. (collectively, "HRI") may be able to provide additional information responsive to this Request, particularly with respect to Old Church Rock, Section 17. Under a December 29, 1986 Purchase Agreement, as amended by an Amendment to Purchase Agreement dated March 31, 1987, UNC and Teton Exploration Drilling, Inc. agreed to sell and assign certain mining properties and claims in McKinley County, New Mexico to HRI. Pursuant to a Supplemental Purchase Agreement dated January 29, 1991 (the "1991 Agreement") between UNC and HRI, the list of properties subject to the sale and assignment was supplemented to include, among other things, mining properties located in Section 17, Township 16 North, Range 16 West, which UNC held at the time through a lease from Cerrillos Land Company. Among other things, the 1991 Agreement provides that HRI would assume and undertake all past and future environmental and reclamation obligations, and that UNC would have no liability for any past and future reclamation and environmental obligations for the mining properties and claims subject to the agreement, which included the Old Church Rock Mine property.

Other persons and entities identified elsewhere in this Response as having owned or operated uranium mine sites may also have responsive information or documents.